

**Minutes
Windsor Town Council Meeting
Town Hall
April 14, 2009**

The Windsor Town Council met in regular session on April 14, 2009 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor Marvin A. Crocker, Jr. was present, and he called the meeting to order. He welcomed those who were present. He asked for anyone with cell phones to please turn them off. He asked the Clerk to call the roll. Robin Hewett, Town Clerk, recorded the minutes. John L. Rowe, Jr., Interim Town Manager, Police Chief Robert Porti, Michael Stallings, Assistant Town Manager/Planning and Zoning Administrator, and Joshua Pretlow, Jr., Town Attorney were present.

Council members present: Wesley F. Garriss
J. Clinton Bryant
William L. Jones
Durwood V. Scott
Greg Willis
Carita J. Richardson

Mayor Crocker asked Councilwoman Richardson to give the invocation and she did. Mayor Crocker asked to amend the agenda to have the presentation by Patricia Knight with the U.S. Census Bureau. By nod of head, Council agreed to the agenda modification. Mayor Crocker asked Mr. Rowe to introduce Ms. Knight.

Mr. Rowe said Patricia Knight is the Virginia Partnership Specialist with the United States Census Bureau. He said she will brief Council on the upcoming 2010 Census and on the various partnership programs that the Census Bureau is undertaking in order to make this Census a success.

Ms. Knight said the U.S. Constitution mandates every ten years a headcount of everyone living in the United States. She said the first census was conducted in 1790, and the federal government has conducted a census every ten years since then. She said citizens should participate in the census because it brings power and money to the communities. Ms. Knight said the census determines the number of congressional seats in the House of Representatives. She said every year the federal government awards more than \$300 billion dollars in federal funds is awarded to states and communities based on census data. Ms. Knight said census data is used to forecast business demand, plan for public transportation, and direct funds for needed services. She briefed Council on the 2010 Census timeline. She said everyone living in the United States is counted. She said that it is the Census Bureau's goal to count everyone once and only once. Ms. Knight said they will not leave out counting the homeless, people living in nursing homes, on military bases and in college dorms. She said the

Census Bureau employees cannot share respondent's information. She said the information collected is used only for statistical purposes. She thanked the Mayor and Council for allowing her to come and speak at the meeting.

Mayor Crocker said he would like to recognize former Council members Len Alphin and Ken Johnson and also Planning Commissioner George Stubbs in the audience.

Public Hearings

Mayor Crocker said there is a public hearing to consider the application of Holland Meadows, Inc. for a conditional rezoning from Conditional R1 to Conditional R1MHP for the purpose of erection of single family residential dwellings at Shiloh Drive on 51.9 acres, located in the Town of Windsor, Virginia, designated as Tax Map Parcel 54-01-097, pursuant to the provisions of Section 160-29 of the Land Development Ordinance of the Town of Windsor, Virginia.

Mayor Crocker asked the Town Attorney if the public hearing had been properly advertised. Mr. Pretlow said yes, the public hearing was properly advertised.

Mayor Crocker asked Mr. Stallings to give an overview of the rezoning application. Mr. Stallings said the property was rezoned to conditional single family residential in 2005 for the purpose of constructing 85 single family homes. He said the final subdivision plat was approved in September 2008. He said the applicant is wishing to change the conditions of the property; therefore, the applicant has submitted a rezoning application to rezone the property to R1MHP with certain conditions. He said Planning Commission has held its public hearing, and the rezoning application is now before Council.

Mr. Stallings said the applicant's intent in his request to rezone the property to R1MHP is to increase the number of units in the subdivision from 85 to 119. He said staff received a revised proffer list that reduces the number of units to 105 on Friday, April 10, 2009, after staff had delivered to Council the agenda packets for this meeting of Council. Therefore, the applicant's revised proffers were not part of the agenda package for this meeting. He said the traffic impact analysis, for the previous rezoning, was conducted at 115 units, which is above the number of units being proposed at this time. Mr. Stallings said the infrastructure, such as roads, sewer, and storm water were all designed to have the capacity for this number of units.

Mr. Stallings said Mr. Whitney Saunders, the attorney for Holland Meadows, Inc. hand delivered to the Town Office a letter dated April 10, 2009 amending the proffers that the applicant submitted with his rezoning application. He said this is the proffer list Council will be working with at this Council meeting. He said the Virginia Code does allow the applicant to amend his proffers once the public

hearing has begun, as long as the amended proffers do not materially affect the overall proposal.

Mr. Stallings said this afternoon, April 14, 2009, at approximately 2:30 p.m., the County Administrator's Office had a letter hand delivered to the Town Office by a planning staff member expressing some of the County's concerns.

Mr. Stallings continued by discussing the proffer changes in the applicant's April 10, 2009 letter. He said as mentioned earlier the number of lots has decreased from 119 to 105. He said the minimum square footage of heated living space has been changed from an average to a minimum of 1,600 square feet.

Mr. Stallings said the revised list of proffers does not include the original proffer number "13 d" which states: *"Require all primary materials to be used on the front, sides, and rear of all residential structures shall consist of any two of brick, masonry (stone), nailite, vinyl or substantially similar material, with the exception that accents gables, bay windows and other design or ornamental features may consist of EIFS, wood materials or cement based materials"*. He also mentioned an additional proffer that states that only one satellite dish antenna may be erected on any lot and that any dish be screened from view so that it is not visible from any street.

Mr. Stallings said the Planning Commission had its public hearing on March 25, 2009, and the Planning Commission unanimously recommended denial of the rezoning application.

Mr. Pretlow briefed Council on the proffer agreement the Town has with the County. Mr. Pretlow said the cash proffers stated in the proffer list by the developer are not sufficient to meet the amount required by the County. Mr. Pretlow said if the items listed in proffer number five were changed to be part of the cash proffers, then a portion of this money would go to the County to meet its threshold amount in the Memorandum of Understanding signed by the Town. He said proffer number eight refers to the sewer pumping station, and the language in this proffer is incorrect. He said it states that *"the additional cost for construction of these facilities to provide the required excess capacity shall be paid by the Town of Windsor"*, and he said that this is not possible for the Town does not have control over the sewer system. He said that provision needs to be removed totally. He said this is an important item for Council to consider. He said if Council agrees to proffer number eight, then it could possibly cost Town approximately \$200,000 for the excess sewer pumping station capacity.

Mr. Rowe said the applicant who has submitted this rezoning request is not the original applicant in the rezoning matter that took place four years ago. He said the original applicant was the property owner at that time. He said looking at proffer number five A and B the Town does not need a dump truck or a maintenance building at this time. He said the Town has a higher need for this

\$138,000, a police station. He said he recommends that Council change the priorities from a dump truck and maintenance building that the Town does not need, to a Police Station that the Town does need. He said he recommends that proffer number five A and B not be accepted in its current condition.

Mayor Crocker opened the public hearing and asked for any persons wishing to speak in favor of the rezoning application to come forward at this time.

Mr. Whitney Saunders said he is present representing the interest of the applicant and owner of the property, which is Holland Meadows. He said when they were here for the Planning Commission meeting there were three concerns raised. He said the first is density. He said they have tried to address that concern directly by bringing a plat before Council that has 105 lots instead of the 119 lots that was presented before Planning Commission. He said the second concern was the heated square footage of the homes. He said they have brought to Council a different square footage, which is 1,600 square feet in comparison to what could have been substantially less. Mr. Saunders said the third concern was the quality of the homes to be built. He said Council has a list in the packets which states "Standard Features". He said this is a list of the standards of construction of the homes. He reviewed this list of features with Council.

Mr. Saunders reflected on the current economy with Council and how it has affected everyone. He said in regards to the proffers, 85 lots were approved with proffers in the original conditional rezoning. He said they are now asking Council to approve an additional 20 lots. He said the proffers, that were offered when the 85 lots were approved, are not coming off the table. He said the 20 lots are coming to Council with the full proffers which are in line with the Town's agreement with the County. Mr. Saunders said they are offering \$9,641 in proffers for the additional 20 lots they are asking for in the rezoning. He said this does not cover all of the 105 lots they are proposing in the rezoning application. He further discussed the proffers with Council. He said they have no problem with changing the truck and building proffers to a Police Station for the Town. He said they have drafted a new 5 A & B proffer to indicate the changes, if it is the desire of Council.

Mr. Saunders presented to Council some designs of some of the homes that they are planning to build in the subdivision. He said there would be one-story homes as well as two-story homes within the subdivision.

Mr. Saunders said they have corrected proffer number seven which was a concern of the County's. He said proffer number eight refers to the sewer system which is one of the original proffers that goes with the subdivision. He said a system was designed for 585 homes. He said it is not the desire of the applicant to have the Town responsible for payment of the system. He said if Council approves the rezoning, they will remove proffer number eight. He said

that cost to the Town would be approximately \$200,000. Mr. Saunders said Mr. Parrish is present to answer any questions regarding engineering. He said the principle owners of Holland Meadows are also present to answer any questions.

Billy Gwaltney, 23489 Deer Path Trail, said he would like to thank Council and Town staff for keeping him informed on what has been taking place with this project. He said he also knows that this Town Council would not do anything to hurt the Town of Windsor. He said he is not happy with the additional 20 lots, but it is probably the best compromise for the Town and developer. He said this is a learning process for everyone. He said he wants to make sure that the covenants and restrictions listed for the subdivision are carried out.

Liza Mohr, 24166 Sarahnell Lane, said the previous design of the homes had no driveways or garages. She said the new proffers require the homes to have driveways and garages, which will make it a nicer looking subdivision. She said the property should hold its value as well as the surrounding properties. She said she thinks that reducing the size of the lots is a good idea. She said she does not feel that the small lot size will have an impact on the sale of the homes in the subdivision.

Mayor Crocker asked for any persons wishing to speak in opposition of the rezoning application to come forward at this time.

John Atwood, 401 Hidden Acres Circle, said all the proffers being stated tonight sounds good, but it is a one-time shot for the Town. He said when you start buying more police cars and hiring more police officers, the money will disappear rapidly. He said he is not against making the police department the best it can be. He said the rezoning is not going to help with property values in the surrounding area at all. Mr. Atwood said his concern is with his property value and other residents' property value around the subdivision. He said their property value is going to decrease for the benefit of the developer. He said he is tired of taking care of other people's problems instead of their own problems. He asked what a 1,600 square foot average home means. He said safety is a problem. Mr. Atwood said the road is not designed to take care of that many vehicles. He said he would ask Council to turn the rezoning application down and go back to the original plans for the subdivision.

Ken Johnson, 24206 Twin Circle, said he supports the original subdivision. He said what was presented previously would have been an asset and benefit for the community. He said he is concerned with the additional density with the 20 additional homes. He said he agrees with Mr. Atwood because the road is not designed to handle that much traffic. He said he would ask Council to consider the lower appraisal value of the homes and the amount of revenue that will be generated from the homes. He said Council needs to consider whether or not this revenue will cover the cost of services, such as police protection, trash pickup, fire and rescue. He asked that Council agree to send the application

back to Planning Commission, because of all the changes that were presented tonight, to get its input and recommendation to Council. Mayor Crocker said he would like the record to show that Mr. Johnson also served on Planning Commission as well as Council and that he is a certified planner.

Dorothy Horn, 214 Robinson Way, said she can see the subdivision clearly from her residence. She said her property had been marked with flags for a sewer easement that was to run through her property. She said the surveyor stated that the subdivision plat did not show an easement along the left property line for utilities. She said after contacting the Town, she was told that the plat had been changed. She said later the sewer lines were put in between lot 24 and 25 on an existing easement which was drawn up in 1999. She said she is very opposed to rezoning the property to R1MHP. Mrs. Horn said she feels it will decrease the value of their property. She said she paid \$370,000 for her home and she said she would hate to have a trailer park in her back yard. She said she realizes the economy is bad, but the developer needs to ride out the recession just like everyone else has to do.

Robert Beale, 201 Hidden Acres Circle, said he opposes the rezoning application. He said he does not feel that this is a very adequately thought out process. He said listening tonight he has heard of a lot of items that has come up in the last two or three days. He said he does not know how Council can vote for something like this tonight without giving any thought to all the changes that have been proposed. He said the homes in the subdivision are going to be smaller and have a lower value. He said he feels this is a bail out for the developer. He asked Council think long and hard before voting on the issue.

Frankie Carr, 216 Robinson Way, said their land has been directly involved since the beginning stages of the subdivision. She said her property was also involved with the sewer lines issue. She said the developer has not been very neighborly from the very beginning of the project. She said she agrees with the 84 or 85 lots. She said this is definitely affecting their neighborhood. She said she hopes Council will think twice on voting for the additional homes.

Glyn Willis, 24291 Lovers Lane, said a lot has happened since the March Planning Commission meeting. He said he thinks some progress has been made. He said a number of changes have been made, some positive and some with an impact still to be determined. He said he would agree with Mr. Johnson to pass the application back to Planning Commission for them to fully evaluate what is before Council tonight. He said he feels it would be inappropriate to make a decision tonight given the time Council has had to review and research the proposal the developer has presented.

Darren Stauffer, 19119 Pope Swamp Trail, said they own property at the corner of Lovers Lane and Shiloh Drive. He said he was never opposed to the initial plan of the 85 lots. He said the Town is going to receive real estate taxes on the

85 lots that do not require any services, which he feels is a good thing. He said once the homes are built they are going to require services from the Town. He asked where the money would come from. He said it is better for the lots to remain unapproved and the Town receives funds from the taxes on the lots. He said he and his wife are opposed to the change in zoning. He said he feels it is not the right time or project to increase the density of the subdivision.

Mayor Crocker closed the public hearing. He said it is now open for discussion among Council.

Councilman Bryant said he understands everyone's concerns about the increased density. He said he is divided on the issue. He said there is a lot of merit on referring the application back to Planning Commission. He said he is scared to death with what may happen in the subdivision if it remains at the 85 lots. He said some people refer to it has a threat by the developer, but he said he does not see it that way. He said he sees it as the developer being forced into a business decision due to the present economy.

Councilwoman Richardson said the new material that Council was given does not mention the dimensions of the smallest lot size. She asked what the smallest lot size is now. Mr. Parrish said the smallest lot size is 70 to 72 feet. He said those lots are adjacent to Hidden Acres. He said those lots are interior lots in the subdivision. Councilwoman Richardson said the applicant's documents do not address when applicant will pay the County the additional proffers on the additional 20 lots. Mr. Saunders said it would be on the last 20 lots that were sold in the subdivision. Councilwoman Richardson said she had a question for the Town Attorney. She asked if proffer number eight was in the original proffers and if the Town would be held to paying for the excess capacity on the sewer system. Mr. Pretlow said it is in the original proffers. He said to his knowledge the Town has never agreed or determined what the excess capacity of the sewer system was. He said the Town dealt with the County on this issue, and the County refused the let the Town have part of the sewer issue. He said he is not aware of any agreement that the Town has entered into to determine the excess capacity of the sewer pump station.

Mayor Crocker asked Mr. Pretlow if the Town was in on the development of the pump station with the County. Mr. Pretlow said he is not aware that the Town was included in this with the County. Mayor Crocker said proffer number eight should end after the first sentence because the Town is not the owner of the sewer system. Mr. Pretlow said this raises an issue that he will address. He said when Mayor Crocker closed the public hearing all the potential changes have come to an end, and they have not been firmly proffered or accepted during the public hearing, which the state statue requires. Mr. Pretlow said he recommends that Council send the rezoning application back to Planning Commission to get everything cleaned up and then bring it back to Council. He said these items

have to be cleared up and the only way to clear it up at this point is to send it back to Planning Commission.

Councilman Jones made a motion to send the rezoning application back to Planning Commission to clear up the proffers and other concerns to come back to Council with Planning Commission's recommendation. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Councilman Bryant asked the Town Attorney what is the next step in the process since the application has been referred back to Planning Commission. Mr. Pretlow said there would be two more public hearings, one for Planning Commission and one for Council. He said Council could have a joint meeting with Planning Commission. He said Planning Commission would have its public hearing and vote and then it would go to Council. He said the only thing he would caution Council on is that it does not give Council time to consider any problems in the process. He said he would be advertising the public hearing for the May Planning Commission meeting and advertise it for the June Council meeting. He said that would give two weeks in between the meetings to address any issues that may arise.

Councilman Scott said Council needs to set a proffer policy so that there will be direction for Planning Commission and staff as to what Council is looking for. Mr. Pretlow said this process should get the County in gear to look at the Memorandum of Understanding that the Town has signed. Mr. Rowe said he would get a copy of the current Memorandum of Understanding that was signed by Council. Council further discussed the proffers and a proffer policy for the Town.

Delegations, Public Comments, and Citizens Concerns

None

Consent Agenda

Mayor Crocker asked for approval of the consent agenda, which includes the minutes of the March 10th Council meeting and the Treasurer's reports. Councilman Garris made a motion to approve the consent agenda. Councilwoman Richardson seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Interim Town Manager's Report

Resolution Recognizing Federation Day – Woman's Club of Windsor

Mr. Rowe said before Council is a resolution recognizing Federation Day and the Woman's Club of Windsor. He said he recommends that Council adopt this resolution. He said staff will have the resolution framed and presented to the Woman's Club at a future date. He said he recommends that the Clerk read the title of the resolution. Mayor Crocker asked the Clerk to read the entire resolution. The Clerk read the resolution out loud for all present.

Councilman Willis made a motion to adopt the resolution entitled "*A Resolution Recognizing April 24, 2009, As General Federal of Women's Clubs Day in the Town of Windsor, Virginia.*" Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3. Mayor Crocker said he would like to recognize Mrs. Helen Hill and Mrs. Dot Gwaltney present for the Windsor Woman's Club. He asked Mrs. Hill to come forward to comment on the resolution and what the Woman's Club is currently working on. Mrs. Helen Hill thanked Council for the resolution. She said the Virginia Council is 102 years old and next month the Windsor Woman's Club will be 80 years old. She said their current project is to help raise money for the Virginia Tech Rescue Squad. She said that project is a state project. She said they are also working on something for the Town in reference to the cemetery. Mayor Crocker said the ladies of the Woman's Club have been a tremendous asset to the Town. He thanked them for all the hard work they have been doing.

Discussion of Article Four of the Proposed New Charter

Mr. Rowe said he sent to Council a notebook containing charters for other localities. He said there is not much variance in the language of the Town Charter with the charters in the notebook from the other localities. He said the Town Charter is Council's Charter to tailor to its needs. Councilwoman Richardson said in the City of Franklin Charter in 4.02H it states under the manager to examine regularly the books and papers of every office and department of the City and report to the Board the condition in which they are found. She said she would like this language in the Town's Charter or something similar. Mr. Rowe said this was something easy to add if that is the pleasure of Council. Councilman Willis said he approves the language proposed.

Budget Transfer – Water Fund

Mr. Rowe said a budget transfer in the water fund needs to be made. He said \$3,200 needs to be transferred from account number 4-200-42000-1113, Salaries – Office Staff to budget account number 4-200-42000-6001, Office Supplies. He said the reason for the transfer is Mr. Stallings is being trained for his water operator's license and also the State Health Department's lab fees

have increased for analyzing water samples. He said he recommends that Council approve the transfer of \$3,200 from Salaries – Office Staff to Office Supplies. Councilwoman Richardson made a motion to approve the transfer of \$3,200 from budget account number 4-200-42000-1113, Salaries – Office Staff to budget account number 4-200-42000-6001, Office Supplies. Vice Mayor Jones seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Budget Transfer – Police Department

Mr. Rowe said that the budget that Council adopted for the current budget year 2008-2009, contained a lump sum amount for the police department. He said Chief Porti and himself administratively implemented a “line item” budget for the police department. He said he and Chief Porti did this so to allow them to better track and account for the expenditures within the police department. Mr. Rowe said the need for these transfers is due to management either over or under estimating the allocation of the lump sum budget to the various line items earlier this fiscal year. He said he recommend that Council approve this budget transfers for the police department. He said the first transfer is in the amount of \$2,000 from account 4-100-31100-2300 Group Insurance to account 4-100-31100-2210 VRS. He said the second transfer is in the amount of \$18,042.60 from 4-100-31100-2001, police overtime \$6,276.60, 4-100-31100-2300, group insurance \$2,116.00, 4-100-31100-6001, communications \$580.00, 4-100-31100-6002, materials and supplies \$200.00, 4-100-31100-6003, dues and subscriptions \$170.00, 4-100-31100-6004 equipment \$1,400.00, 4-100-31100-6006, training and travel \$2,000.00, and 4-100-31100-6008 fuel and tires \$5,300.00 to account 4-100-31100-2000 salaries and wages.

Councilman Garriss made a motion to approve the following two transfers for the police department: a transfer in the amount of \$2,000 from account 4-100-31100-2300, group insurance to account 4-100-31100-2210, VRS and a transfer in the amount of \$18,042.60 from account 4-100-31100-2001, police overtime \$6,276.60, 4-100-31100-2300, group insurance \$2,116.00, 4-100-31100-6001, communications \$580.00, 4-100-31100-6002, materials and supplies \$200.00, 4-100-31100-6003, dues and subscriptions \$170.00, 4-100-31100-6004 equipment \$1,400.00, 4-100-31100-6006, training and travel \$2,000.00, and 4-100-31100-6008 fuel and tires \$5,300.00 to account 4-100-31100-2000 salaries and wages. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Calendar of Events

Mr. Rowe said that Council has the calendar of events for April and May 2009. He said if Council has any questions regarding the calendar, then he could answer them at this time. He said he would like Council to note the date set in the budget calendar to have the public hearing on the 2009-2010 Operating and

Capital Budgets at 7:00 p.m. in the Council Chamber. He said it is his recommendation to set 7:00 PM, May 26, 2009 as the date and time for the public hearing on the 2009-2010 budget, whether Council does this now or when it comes up on the Council agenda. Mayor Crocker asked when the budget would be delivered to Council. Mr. Rowe said his goal is to have it to Council before the end of April. Mr. Rowe gave Council a status report on the budget. He said the 2009-2010 budget has been balanced without using any fund balance or having a tax increase. He said this was done by putting some capital projects on hold. Mr. Rowe further discussed the 2009-2010 budget with Council, and he explained the new budget format.

Councilman Garriss said he is impressed with the budget and its details. He said he is pleased with what is coming.

2009 VML Policy Committee Nominations

Mr. Rowe said he recommends that Council populate each committee nomination on the list. He said the nominee can be an appointed person or a Council member. He said he would recommend to Council to fill in the nominations now so the form can be sent in to VML. Councilman Scott said he would take Economic Development Policy Committee. Mr. Pretlow was put down for General Laws Policy Committee. Councilman Willis said he would like Transportation Policy Committee. Mr. Rowe volunteered Mr. Stallings for Finance Committee and Environmental Quality. Councilwoman Richardson said she would take Human Development and Education Committee. Mr. Rowe said staff will send to Virginia Municipal League (VML) these nominations.

Setting the Budget Public Hearing

Mr. Rowe said he recommends that Council adopt a motion to have a Council meeting at 7:00 p.m. on Tuesday, May 26, 2009 for the purpose of conducting a public hearing on the proposed operating and capital budgets for 2009-2010 and the proposed five-year Capital Improvements Plan. Mr. Pretlow said unless something major happens the budget can formally be adopted at the regular June Council meeting, and there would be no need for a special meeting in June.

Councilman Garriss made a motion to hold a Council meeting at 7:00 p.m. on Tuesday, May 26, 2009 for the purpose of conducting a public hearing on the proposed operating and capital budgets for 2009-2010 and the proposed five-year Capital Improvements Plan. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Other – VML Town Section Meeting

Mr. Rowe said the VML Town Section meeting is scheduled for April 30, 2009 at 10:30 a.m. at the Smithfield Center. He said anyone wishing to go please let

staff know. Mayor Crocker, Vice Mayor Jones, Councilman Bryant, Mr. Rowe, Mr. Stallings and Ms. Hewett said they would be attending the meeting.

Police Chief's Report

Chief Porti said the Council agenda package includes the crimes and offenses report for the month of March 2009. He said there were 194 calls for service during the month, of which they responded to 179. Chief Porti said there were a total of 182 traffic stops, which resulted in 193 summons and 21 warnings. He said there were two DUI arrests made and three wanted persons arrested through traffic enforcement action. He reported that there were seven felony arrests, resulting in 17 charges, and 18 misdemeanor arrests, resulting in 19 charges.

Chief Porti said on March 6, 2009, the Windsor Police initiated a search warrant with the assistance of the Isle of Wight Sheriff's Office Tactical Response Team. He said the warrant service resulted in the arrest of two individuals for narcotics related activities.

Chief Porti said on March 14, 2009, the Windsor Police Department assisted the Isle of Wight Sheriff's Office Emergency Response Team with a warrant service in the county. The warrant service resulted in the arrest of one individual with charges pending for a second.

Chief Porti said on March 18, 2009, the department initiated an investigation into Felony Child Neglect and Abuse. He said the investigation resulted in one child being removed from the home by Isle of Wight Child Protective Services and one individual being charged with Felony Child Abuse/Neglect and Domestic Assault and Battery.

Chief Porti said on March 20, 2009, the Windsor Police Department conducted a Sobriety Checkpoint on Route 258 near Curve Drive. He said they were assisted in the operation of the checkpoint by the Isle of Wight Sheriff's Office and the Virginia State Police. He said the checkpoint was attended by two representatives from the DMV Smart, Safe, and Sober office. He said the checkpoint resulted in a total of 88 arrests/summons.

Chief Porti reported that Officer Todd attended the Mid-Atlantic DUI Conference hosted by the Virginia Beach Police Department on March 24 and 25, 2009.

Councilman Willis asked when the police department was going to have their presentation for Council. Chief Porti said the presentation is ready whenever Council wants to schedule the presentation for a Council meeting. He said the presentation would take approximately an hour without any questions. Mayor Crocker suggested having an early meeting to have the presentation first. Mr. Pretlow said the presentation is for closed session.

Councilman Scott made a motion to change the meeting time for the May 12, 2009 Council meeting to 6:00 p.m. with a closed session at the beginning of the meeting. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

Town Attorney's Report

Mr. Pretlow said he received some documents from Dominion Virginia Power on their rate increases. He reported to Council that the trash disposal fee from the County had died. He said he has commented to Mr. Rowe that there needs to be some provisions for that tax rate.

Mayor's Report

Mayor Crocker said he attended the Hampton Roads Civic Engagement Summit on April 4, 2009. He said there were approximately 300 people in attendance. He said the speaker, Chris Gates, was excellent. He said he spoke on how to get the community engaged in government.

Mayor Crocker said he attended the intergovernmental meeting on April 7, 2009. He said he, Vice Mayor Jones, Mr. Rowe, and Mr. Stallings were in attendance at this meeting. He said the County representatives brought to the Town's attention the newspaper article regarding the SPSA tipping fee. He said the County has not resolved that issue.

Fire Department/Rescue Squad Committee - No report.

Public Health & Safety/Street Committee

Councilman Bryant asked Mr. Rowe for an update on the Route 460 concrete issue. Mr. Rowe said he and Mr. Stallings met with Mr. Neblett and there are two sections of concrete with problems. He said the section of concrete in front of the post office has the worst and most costly problems. He said the other section of concrete could be sealed and would cost approximately \$20,000 to \$40,000 to repair. He said the section in front of the post office has failed, but VDOT is unsure why it has failed. He said Mr. Neblett estimated the cost for this section to be approximately \$160,000. Mr. Rowe said VDOT does not have any money for these repairs, but Mr. Neblett did not ask the Town for any money for the repairs.

Councilman Bryant said there are a lot of asphalt pieces on the sidewalk in front of the post office, and he asked if there was any way to get this cleaned off of the sidewalk in that area. Mr. Rowe said he would take this to Mr. Neblett to see if VDOT could do some immediate cleanup of the asphalt.

Finance Committee - No report.

Personnel Committee

Mayor Crocker said there are two individuals up for reappointment. He said Mr. George Stubbs for Planning Commission and Ms. Francis Butler for BZA. He said the committee would take care of contacting the individuals.

Utilities/Property/Cemetery Committee

Vice Mayor Jones said he did not have a report for the Utilities/Property Committee. Councilman Garris said Betty Hardy has talked with him about doing a brick patio with a bench where the flag is located in the cemetery. He said they are also looking at getting some type of statue to go in the cemetery.

Mayor Crocker said Mr. Rowe has mentioned to him several months ago to restructure the committees to do away with the committees. Mr. Rowe said he has had the conversation with Council about being a committee as a whole. He said Council needs to be comfortable with the change in the committees.

Mr. Rowe said he is concerned about the unsightliness particularly on the north side of the cemetery. He said he has asked Mr. Sims to see if there is some type of landscape trees to cover the area of the woods next to the railroad tracks.

Planning Commission

Mr. Stallings said the Planning and Zoning Report for March is before Council. He said there were six zoning permits issued in March. He said there were no notices of violation for March.

Mr. Stallings said the next Planning Commission meeting is scheduled for April 22, 2009 at 7:00 p.m. and there will be a discussion of the proffers and changes made to the Holland Meadows subdivision.

Parks & Library Committee

Councilwoman Richardson said it is National Library Week this week at the Windsor Library. She said they are having a fine free week. She said on May 16, 2009 the Library will be having a "Bag of Books Sale for \$5" from 9 a.m. to 12 noon. She asked if the May 16th event could be put on the Town sign.

Economic Development Committee

Councilman Scott said the committee met on April 13, 2009. He said Judy Winslow and Marcie Parrish with Isle of Wight County Economic Development Department attended the meeting to discuss the Windsor's Farmers Market. He

said they would like to move the location to the Robinson Park beside the Windsor Library. He said he told Ms. Winslow and Ms. Parrish that as a committee they could only recommend to Council for approval of moving the location. He said they are asking for \$1,000 in funds this year for the Farmers Market instead of \$500 that they have received in the past. He said the committee discussed the intermodal park and also the Business Appreciation Breakfast. Councilman Scott said there is one member on the committee that has only attended one meeting. He said the bylaws state that if an individual misses three meetings the committee can appoint someone new. He said the committee is open for recommendations for someone to replace Thomas Kline.

Council discussed the Farmers Market location and why Ms. Winslow and Ms. Parrish wanted to change the location.

Councilman Scott made a motion from the Economic Development to recommend to Council to approve the new location of the Farmers Market to Robinson Park and to approve \$1,000 in the budget for the Farmers Market. Councilwoman Richardson seconded, and Council passed the motion five to one as recorded on the attached chart as motion #8.

Workforce Housing Committee - No report.

Community Center Committee - No report.

Old or Unfinished Business

Councilman Willis asked if the welcome sign had been repaired, and Mr. Rowe reported that the sign had been repaired.

New Business

None

Vice-Mayor Jones made a motion to adjourn. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9. The meeting adjourned at 10:12 p.m.

Marvin A. Crocker, Jr.
Mayor

Robin Hewett
Town Clerk